

BOARD OF NURSING
MINUTES
OCTOBER 27, 2006

CONDUCTING: Diane Forster-Burke

CONVENED: 7:47 a.m.

ADJOURNED: 3:40 p.m.

MEMBERS PRESENT: Marie Partridge
Diane Forster-Burke
Pam Rice
Yvonne Sehy
Barbara Jefferies
Marilyn Johnson
Susan Kirby
Joel Allred

MEMBERS EXCUSED: Mary Williams
Nancy Knape

DIVISION STAFF: Laura Poe, Executive Administrator
Shirlene Kimball, Secretary

GUESTS: Debbie Schilleman
Michelle Swift (2:00 p.m.)

TOPIC OF DISCUSSION:

DISCUSSION REGARDING THE
MEDICATION AIDE PILOT
PROGRAM:

DECISIONS/RECOMMENDATIONS:

Ms. Schilleman submitted a proposed curriculum for the Medication Aides Pilot program. Board members indicated they would like to see the number of hours in the program increased. Ms. Poe indicated that the Statute requires a minimum of 40 didactic hours and 20 clinical hours and we can not go beyond that requirement. Board members reviewed the proposal and made suggested changes. Ms. Schilleman will make the changes and meet with the Board at 2:00 p.m. today.

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DISCIPLINARY REPORT – CONNIE
CALL:

Ms. Call's report is attached.

DIVIDED INTO GROUPS -10:15 AM

GROUP 1
CONDUCTING: JOEL ALLRED
SECRETARY: SHIRLENE KIMBALL

Members present: Dr. Sehy, Mr. Allred,
Ms. Partridge and Ms. Forster-Burke.

MARSHA BYRNE,
NEW ORDER:

Ms. Byrne was interviewed by Ms. Forster-Burke. Ms. Byrne explained the circumstances that brought her before the Board. She indicated that Jeffrey Call is her prescribing practitioner and her pharmacy is Peterson Pharmacy at the Ogden Clinic. She stated she is not currently working as a nurse. She stated she understands the terms and conditions of her Order.

NORA MITCHELL,
NEW ORDER:

Ms. Mitchell was interviewed by Mr. Allred. She explained the circumstances that brought her before the Board. She stated she understands the terms and conditions of the Order.

THERESA BREWER,
NEW ORDER:

Ms. Brewer was interviewed by Dr. Sehy. Ms. Brewer's husband was also in attendance. Ms. Brewer indicated her prescribing practitioner will be Adam Callahan, PA and the pharmacy will be Albertsons in Price. She explained the circumstances that brought her before the Board. She stated since she works in a rural area, she would like to have her Order amended to allow for the supervision of a nurse or physician instead of the supervision of an RN. She also requested she be allowed to attend 4 12-step meetings in lieu of PIR meetings. She stated she

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GROUP II
CONDUCTING: MARILYN JOHNSON
MINUTE TAKER: CONNIE CALL

KAREN CHRISTIANSEN,
QUARTERLY PROBATION
INTERVIEW:

JENNIFER NICKERSON,
NEW ORDER:

TERRYL HULLINGER,
NEW ORDER:

RECONVENED TO TOTAL BOARD
AT 11:30 A.M.

TODD GARDNER,
INTERVIEW:

understands the Order. She stated she has had no thoughts of relapse and last used drugs on August 14, 2006. She stated she is not taking any medications not lawfully prescribed for her.

Members present: Ms. Johnson, Ms. Jeffries, Ms. Rice and Ms. Kirby.

Ms. Christiansen was interviewed by Ms. Rice. Ms. Christiansen submitted her reports late and she indicated she is in a stressful period at this time. Committee members indicated she must submit the reports on time and that she may want to seek additional support during this period.

Ms. Nickerson was interviewed by Ms. Johnson. Ms. Nickerson indicated she will be working at South Davis Community Hospital. Ms. Nickerson stated she understands the terms and conditions of her Order. Ms. Nickerson requested she be allowed to attend PIR meetings in lieu of 12-step meetings.

Mr. Hullinger was interviewed by Ms. Kirby. He explained the circumstances that brought him before the Board. He stated he understands the terms and conditions of the Order. He stated he has been clean for one year.

Mr. Gardner surrendered his Utah license and has had action taken in Nevada. He has a history of alcoholism and is in therapy with a therapist in Fredonia Arizona. He explained the

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circumstances that brought him to this point. He stated he has been sober 410 days and is currently working as a checker. He stated he completed an inpatient residential program in California in September-October 2005. He stated he is attending AA meetings and is working the steps for the third time. He stated if his license is returned, he would like to receive his RN degree from Excelsior College. Mr. Allred made a Motion to issue the license on a 5 year probation with the standard terms and conditions including weekly attendance at AA meetings in lieu of 2 PIR meetings per month; if working in long term care he can work under the direct supervision of a licensed nurse or physician; and to give access to controlled substances. Ms. Rice seconded the Motion. All Board members in favor.

TODD STANDFORD:

Mr. Stanford has withdrawn his application for licensure.

MODIFICATION REQUESTS:

Theresa Brewer: Ms. Brewer requested her Order be amended to allow for a nurse supervisor instead of an RN supervisor. She also requested she be allowed to attend two additional 12-step meetings in lieu of PIR meetings. Committee members recommended that her requests be approved. All Board members in favor.

Jennifer Nickerson: Ms. Nickerson is requesting she be allowed to attend 4 PIR meetings per month instead of two PIR and two 12-step meetings. All Board members in favor.

Karen Christiansen: Ms. Christiansen requested that her access to controlled substances be returned. Committee members recommend denial of her request. All Board members in favor.

Nance Stone: Ms. Stone requested that access to controlled substances be returned. Ms. Johnson made a Motion that since Ms. Stone has been monitored on probation for a short period of time and has received three non-compliance letters for failing to call CVI, that her request for access to controlled substances be denied. Ms. Jeffries seconded the Motion. All Board members in favor.

Janet Wells: Ms. Wells requested termination of probation. Ms. Johnson made a Motion to terminate probation. Dr. Sehy seconded the Motion. All Board members in favor.

Lori Niven: Ms. Niven requested termination of probation. Ms. Johnson made a Motion to terminate probation. Ms. Kirby seconded the Motion. All Board members in favor.

Tesera Williams: Ms. Williams requested she be allowed to conduct in-home clinical assessments of elderly research subject participants. Ms. Partridge made a Motion to deny the request. Ms. Jeffries seconded the Motion. All Board members in favor.

Via Mackay: Ms. Mackay requested that her access to controlled substances be returned. In August, Ms. Mackay requested her Order be amended to allow access. She was instructed at

that time she needed to demonstrate a pattern of compliance. She is not attending PIR meetings, she missed a urine screen, missed calling into CVI, and has not attended the required aftercare meetings. She remains out of compliance with her Order. Mr. Allred made a Motion to deny her request based on her non-compliance to her Order. Ms. Rice seconded the Motion. All Board members in favor. Dr. Sehy made a Motion to invite her to meet with the Board next month. Ms. Rice seconded the Motion. All Board members in favor.

Blaine Campbell: Mr. Campbell appealed the denial of his requests last month to Mr. Jackson. Mr. Jackson has remanded the requests back to the Board. Mr. Campbell submitted with the reconsideration a letter from his therapist who indicated Mr. Campbell is at low risk to re-offend. Mr. Campbell is currently suspended until he completes a boundary issues course. He had requested the number of hours he could work per week be increased; requested no restrictions on the age of a patient; and requested that no restrictions be placed on the ongoing patient/provider relationship. The letter from the therapist recommends lifting suspension, having no age restrictions and no limit on hours. Mr. Campbell also would like the suspension lifted prior to attending the boundary issues course he is scheduled to attend in November. He is also requesting no restriction to ongoing patient/provider contact. Two evaluators agree that he is not a threat and that the age restriction could be lifted.

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Mr. Allred made a Motion to reconsider the denial. The Motion was seconded. All Board members in favor. Mr. Allred made a Motion to lift the suspension and eliminate the restriction on the number of hours he can work per week. Once Mr. Campbell has completed the boundary issues course, the restriction regarding the age requirement can be lifted. Ms. Kirby seconded the Motion. Ms. Jeffries, Ms. Kirby, Ms. Partridge, Dr. Sehy and Mr. Allred in favor of the Motion. Mr. Forster-Burke and Ms. Rice opposed. Ms. Johnson abstained. Motion passed.

OPEN AND PUBLIC MEETING ACT
TRAINING

Ms. Poe conducted the training.

CONTINUED DISCUSSION
REGARDING MEDICATION AIDE
PILOT PROGRAM:

Board members reviewed the draft with the changes as discussed earlier in the meeting. Board members indicated that content appears to be fine, but that the document needs to be reformatted. The redraft will then be sent out for further review.

SEPTEMBER 22, 2006 MINUTES:

Approved as written.

2007 SCHEDULE:

Reviewed and approved.

REVIEW AND EVALUATE PRACTICE
ACT AND RULES FOR POSSIBLE
CHANGES:

Ms. Poe reviewed with Board members NCSBNs Model Practice Act. The NCSBN Model Practice Act indicates that a barrier from licensure is anyone with a felony within 3 years from complete discharge of the felony.

Ms. Poe indicated that the CNM Board voted to be included in the APRN Compact. The APRN compact needs to have the enabling language amended to add the CNMs. The

CNM's will need to amend their practice act to state that by the year 2010, a CNM would need to have a master's degree to be licensed as a CNM.

Ms. Poe indicated that the CRNAs are concerned that since Utah was the first APRN Compact State and did not include the CRNA, other states would pull the CRNA out of the Compact. Ms. Poe indicated that the CRNA Association feels it is appropriate for the Division to seek legislation to include CRNAs into the definition of an APRN and therefore inclusion in the APRN Compact.

Ms. Forster-Burke indicated that delegation is not mentioned anywhere other than under unprofessional conduct. She requested that the definition of delegation found in the NPA Rules be moved into the Nurse Practice Act. Ms. Forster-Burke also discussed adding to the Nurse Practice Act that a nurse who trains unlicensed assistive personnel to administer oral, topical, eye and ear medication under Section 53A shall not be considered to have engaged in unprofessional conduct for inappropriate delegation.

Ms. Forster-Burke also stated that the school nurses would like to have Section 53A changed to define which routine medication routes can be taught to unlicensed individuals by the nurse consultant. They will approach the Health Department to see if this section can be amended.

Ms. Forster-Burke also indicated that school districts would like to hire an

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LPN rather than an RN. Ms. Poe indicated the Nurse Practice Act addresses who can give direction to the LPN and a school principal is not listed.

ENVIRONMENTAL SCAN:

Michelle Swift, Utah Nurses Association, indicated that the Position of the UNA is to require continuing education for licensure renewal for nurses. She indicated there is also a push for safety in the work place. Ms. Poe indicated the Board has no formal position and recommends that when the UNA sponsors a bill, all interested parties be involved.

Ms. Poe questioned which direction the Division should pursue regarding upcoming legislation? Board members need to determine what needs to be done by early December. Ms. Johnson made a Motion that the Board supports the Division moving forward with Legislation in the areas of the criminal bar and the APRN Compact allowing CNM and CRNA to participate. Ms. Jeffries seconded the Motion. All Board members in favor.

NOVEMBER AND DECEMBER MEETINGS:

Mr. Allred, Ms. Pardridge, Dr. Sehy and Dr. Williams will be excused from the November meeting. Ms. Rice will be excused from the December meeting. Ms. Kirby indicated she may also miss the December meeting.

DIANE FORSTER-BURKE, CHAIR

DATE

LAURA POE, EXECUTIVE ADMINISTRATOR

DATE

